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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/517,516	10/30/2005	Clifford H. B. Beck	1085-064-PWH	7083
60597	7590	05/02/2007		
PATRICK W. HUGHEY P.O. BOX 6553 PORTLAND, OR 97228			EXAMINER LU, JIPING	
			ART UNIT 3749	PAPER NUMBER
			MAIL DATE 05/02/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/517,516

Applicant(s)

BECK, CLIFFORD H. B.

Examiner

Jiping Lu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 20-33 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 20-33 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 3/20/06.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. Claims 20-33 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 20 and 27, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 20-21, 24, 26, 27-28, 31, 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown (U. S. Pat. 3,525,164).

Brown shows an apparatus and a method for drying an article W comprising a suction device 10 having an inlet (at 24), means 12, 14 for conveying an article W past the suction device 10 so that the said surface of the article W passes by the inlet of the suction device 10, means 51 for directing at least one jet of air at the said surface of the article W as the surface passes by the inlet of the suction device 10 which are arranged same as claimed. The suction device 10 comprises an air moving device 26, 54 and a body having an inlet opening 42 at one

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end and outlet 50 connection at the other end. The means for directing the jet of air comprises a plurality of nozzles³⁶ distributed around the inlet opening of the body. Brown discloses the claimed invention except for the shape of body is tubular and the locations of the nozzles. It would have been an obvious matter of design choice to design the body of suction device of Brown with any desired shape and to place the nozzles any desired locations in order to obtain the optimum result since applicant has not disclosed that the claimed tubular shape and locations of the nozzles solve any stated problem in a new or unexpected way or are for any particular purposes which are unobvious to one of ordinary skill in the art and it appears that the claimed features do not distinguish the invention over similar features in the prior art since, the drying apparatus and method of Brown will perform the invention as claimed by the applicant with the body of the suction device having any kind of the shape and with the nozzles placed at any desired locations. Moreover, a change in shape is generally recognized as a design consideration within the level of ordinary skill in the art. In re Dailey, 149 USPQ 47 (CCPA 1966).

4. Claims 22-23, 25, 29-30, 33 rejected under 35 U.S.C. 103(a) as being unpatentable over Brown (U. S. Pat. 3,525,164) in view of Crankshaw et al. (U. S. Pat. 4,089,725).

The drying apparatus and method of Brown as above includes all that is recited in claims 22-23, 25, 29-30 and 33 except for the nozzle is connected to a source of compressed air and means for detecting the presence of an article and means for directing a pulse of air at the surface of the article in response to the detection of the article by the detecting means. Crankshaw et al. teach a concept of using a source of compressed air 49 for supplying compressed air to the nozzles 55a, 55b, 55c and using means 45a for detecting the presence of an article 43a and means 47a for directing a pulse of air at the surface of the article in response to

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the detection of the article by the detecting means 45a (col. 5, lines 9-13) same as claimed.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the drying apparatus and method of Brown to include a compressed air source, an article presence detecting means and means for directing air at the surface of the article in response to the detection of the article by the detecting means as taught by Crankshaw et al. in order to improve the drying efficiency.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jiping Lu whose telephone number is 571 272 4878. The examiner can normally be reached on Monday-Friday, 9:00 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, KENNETH RINEHART can be reached on 571 272-4881. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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A handwritten signature in black ink, appearing to read 'Jiping Lu', with a long horizontal flourish extending to the right.

Jiping Lu
Primary Examiner
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J. L.